

fic slope. This story comes from the family.

#### THE RUSH STILL AWAITS ORDERS.

SAN FRANCISCO.—There is unusual hurry and bustle on the revenue cutter Richard Rush, lying in the stream off the foot of Clay street. The regular shore boats have been done away with and all hands have been set to work painting and cleaning. The cutter was in the best of condition when she dropped in the stream Saturday, but the inquiries from Washington and the placing of the cutter under waiting orders have caused a general stirring up on board.

The cutter is beginning to look like a handsome steam yacht. There is little doubt that the Rush is to take the Government investigating commission to Hawaii when the members are appointed by President Cleveland.

Captain Hooper said yesterday that he had received no further orders from Washington. He did not know where his vessels was to be ordered, but he proposed to have her ready for any emergency.

#### TO HOLD THE STEAMER.

SAN FRANCISCO, Mar. 15.—On the 11th inst. the post office authorities here received the following dispatch:

WASHINGTON, (D. C.), Mar. 11th. Postmaster, San Francisco: Please ascertain and advise me this evening what price agents will name to hold the Australia forty-eight hours. Answer quick and rush this message.

N. M. BROOKS, Superintendent Foreign Mails.

Upon the receipt of the last message Postmaster Backus conferred at once with Spreckels and was informed that the steamer would be held forty-eight hours for \$900 and for any greater time a charge would be made in proportion. It was thought that the Government had important dispatches for Hawaii, but inasmuch as the steamer was not held the necessity evidently did not arise.

#### Official Dispatches.

The followings is the gist of the despatches received by the Government: President Cleveland is favorable to the principle of annexation.

Secretary of State Gresham is earnestly in favor of annexation, and the prompt ratification of the treaty.

The commission are gaining ground with senators.

Among the objections raised was that too liberal provision is proposed for Liliuokalani.

Kauiulani and T. H. Davies arrived in Washington March 8th.

One of the Commissioners writes that T. H. Davies is the only foreign power who refuses to acknowledge the Provisional Government. Tramway Paine might be added as another.

#### From One of the Commissioners.

A private telegram from one of the Commissioners remaining in Washington says: "All well. Cleveland's Commissioners will visit Hawaii. Annexation delayed. Rio Janeiro may touch March 30."

A private letter from the same source gives some information as to the proceedings of Mr. Neumann. He is lobbying vigorously, but it is predicted that he will over-reach himself. He says that he expects and wants annexation, but, as the Queen's attorney, he proposes to get what he can. Failing her restoration, he hopes to get for her the total income of the Crown Lands for the term of her natural life. This means no doubt a big commission for Paul, say six or seven thousand dollars a year, in addition to his big fee, and so he may be trusted to work hard. Whatever happens, says the Commissioner, there is no danger that the Queen or Kauiulani will ever be restored.

#### Mr. Marsden's Views.

Mr. Marsden was seen by an ADVERTISER reporter immediately upon the arrival of the steamer. He expresses himself as satisfied with the situation. The withdrawal of the Treaty from the Senate by President Cleveland is not looked upon as a sign of hostility. He wished to take the matter into his own hands, and act after due deliberation, as he naturally did not wish to make his administration responsible for so important a step without inquiry. The Treaty must of course be withdrawn, if a Commission named are good men in whom we can place confidence.

In response to an inquiry Mr. Marsden said that the Commission has not been officially appointed but there was no doubt that they would be Congressmen Blount of Georgia, Gen. Schofield and Admiral Brown. Others had been named, but he had talked with newspaper men, in particular with a representative of the Chicago Tribune at the last moment, and it was their opinion that the three named were the men. The Rush is ready for sea, and it is the general opinion that she will bring the Commission down. She is a boat of about the size of the Clau-

dine and would come down in about nine days. Mr. Marsden thinks that she will be here in eight or ten days, and that the rest of the Hawaiian Commission will be on board of her.

"What was the cause of the delay, Mr. Marsden?" "Well," replied Mr. Marsden, "it was due first to the tremendous rush of business in the Senate. If it could have been brought to a vote, it would have passed the Senate by a big majority. Then the Democrats wanted the glory of it themselves,—there is no doubt of that."

Mr. Marsden considers the Commission a safe one. Blount who is named as the Chairman is believed to be a strong annexationist.

#### Mr. Bush's View.

The friends of Mr. Bush did not forget that he was to be a passenger by the Australia, and they hurried down in some number to meet him. Before the steamer got up to the dock he was at his old habits, making a speech. His friends crowded round the gang plank, and carried him off in fine style in a wagonette.

An ADVERTISER representative found Mr. Bush on the upper verandah of his home on Punchbowl street, decorated with yellow leis, and in the bosom of his family. Mr. Bush expresses himself with moderation on the situation. He says that there is a strong feeling in the United States that if the reasons in favor of annexation prove to be good, the country should be annexed. A commission has been appointed to come down and investigate the whole situation, and, says Mr. Bush, everything now will depend upon them. It was evident, from the tone of Mr. Bush's remarks, that he sees annexation is not far off. When questioned as to his own attitude, Mr. Bush was rather non-committal, but said he would of course look after the interests of his people. It is well known that he has been a strong annexationist in the past.

#### The Deposed Queen Talks.

The San Francisco Examiner, of the 9th inst., contains a statement from the ex-Queen. She explains how she was forced by her people to give them a constitution. Of course she assails Minister Stevens. It contains nothing new to residents of the city.

#### THE SUGAR TRUST.

##### It Told the Planters to Eat Their Sugar.

WASHINGTON, March 7, 1893.—Mr. Lorrin A. Thurston, head of the Hawaiian Annexation Committee, by invitation to-day addressed the Washington City Club upon the general subject of Hawaii and the United States. In the course of the talk, which was largely informal, Mr. Thurston was asked what foundation there was for the report that in case the islands were annexed to the United States and the bounty for producing sugar secured by the Hawaiian planters half of it would go the Sugar Trust.

He replied by giving a history of the dealings between the planters of the islands and the Sugar Trust in brief as follows: When Claus Spreckels and the Sugar Trust consolidated their interests the representatives of the latter said to the sugar planters of Hawaii, "We are ready now to take your sugar for a term of five years upon certain conditions." One of these conditions, Mr. Thurston said, was that if at any time the Hawaiian planters should receive the benefits of sugar bounty provided by the McKinley bill the Trust was to have half of the amount paid on Hawaiian sugar. "If you don't like these terms, eat your sugar," the Trust said to the planters.

The latter protested against the conditions imposed, said Mr. Thurston, but after investigating the situation they were convinced that the United States was their only practicable market, and if they did not want to eat their sugar they would have to accept the offer made by the Sugar Trust. The contract was therefore signed last summer. But before signing it one of the leading planters went so far as to put in a refining plant, only to learn that he could sell no sugar to the grocers of San Francisco, who declined to buy under threats from the Trust that if they did they could get no more sugar from their (the Trust's) refineries.

Speaking of the attitude of the Commissioners upon the question of the bounty, Mr. Thurston said their understanding of the meaning of the terms of that treaty was that the instrument in itself gave the Hawaiian planters no ground to claim the payment of bounty on sugar raised in the islands, and if an amendment to the text of the treaty to that effect in express words would tend to facilitate affirmative action by the Senate, the Commissioners were perfectly willing that it should be made.

On the 1st inst. H. B. M. S. Hyacinthe left Esquimaux, supposedly for this port. The S. S. Monowai reported having passed the war vessel on her way down. Her non-arrival has created some talk along the water front. She left British Columbia with sealed orders, and it is possible that she was sent to the Behring sea instead of to Hawaii.

Colonel C. L. McArthur and wife were passengers on the Australia. The Colonel is a well known New York journalist.

## Hawaiian Gazette

### 12-PAGE EDITION.

TUESDAY, MARCH 28, 1893.

THE fire in Boston, which has just destroyed several millions of property, by a singular fatality swept over the same site as that devastated by a fire some two or three years since. The buildings with which the locality had been again covered were among the most magnificent in the city, and were supposed to be absolutely fireproof. Yet they went up in smoke so quickly that a number of persons did not even have time to get down to the street, and so perished miserably in the flames.

DR. MARCUSE, who will be remembered as the astronomer sent here from Berlin to make, in connection with Mr. Preston of the United States Geodetic Survey, a series of observations upon the variations in the position of the earth's axis, has delivered a lecture on the results of the expedition before the Geographical Society of Berlin. The lecture is popular as well as scientific. After giving a lucid account of the objects and results of the investigation, Dr. Marcuse describes the journey and embellishes the narrative with a sketch of life and scenes in Hawaii. His statements of fact are in the main very correct, and he does not lose the opportunity to pay a compliment to Prof. Alexander and the efficient Government Survey.

We publish this morning cuts of Judge Gresham and Senator Carlisle, the two leading men of Cleveland's Cabinet. It seems to be generally agreed that the new President's selection of his Cabinet has been very judicious, and the body is one which will compare very favorably with many of those which have preceded it. Mr. Carlisle has been for many years a leader of the low tariff Democrats, and this selection is an indication that Mr. Cleveland means business in tariff matters. Carlisle is, however, a conservative man, and the appointment is a guarantee that the duties will not be filed down in a revolutionary way. The nomination of Judge Gresham, though it has excited bitter hostility in many quarters, is thoroughly characteristic of Cleveland, and a good sign for the future. No one has questioned Gresham's fitness for the position of Secretary of State, and his past record is a proof that the office will be filled with ability and rectitude. The selection is a recognition on Cleveland's part that something besides partisanship has made him President of the Republic. He stands untrammelled and should make a strong administration.

THE plan of building a bridge across the English Channel has been revived, if a late London dispatch is to be believed. This plan has been under discussion for some years. A bridge of seventy-three spans will be necessary, and each span will be a long bridge of itself, as the length will be either 1300 or 1600 feet. The estimated cost is \$163,000,000, which is far in excess of the cost of any engineering work in the world. It seems hardly possible that such an enterprise can be profitable, though its freight and passenger traffic, particularly the former, would unquestionably be enormous. It can hardly be doubted, however, that the coasts of England and France will one day be united either by bridge or tunnel. The political reasons which have hitherto constituted a standing veto on the tunnel plan, cannot much longer prevent the carrying out of an enterprise which is in the line of commercial development, and which would prove a convenience to millions of people. The jealous alarm felt in England as to the tunnel was never well founded, for the security which she derives from her insular position and her mighty navy could never be seriously jeopardized by so frail a thread of communication.

#### A BEE IN THE LEGISLATIVE BONNET.

The passage of a resolution by the California Legislature in favor of transferring the capital to San Jose, and all on account of an article in the Sacramento Bee, is an incident which affords some food for reflection as well as much for laughter. The article in question reflects with some severity on the measures of the Legislature, as well as on the private conduct of some of its members, and these in revenge rushed the resolution through in regard to the removal of the capital.

That legislative bodies are apt to be over sensitive as to their own rights and dignities is an observation which the conduct of the last Hawaiian Legislature tends to confirm. The futile attempts made by certain members of the House at that time to coerce the ADVERTISER, were as childish as the conduct of the Sacramento legislators, while they involved a further outrage because they were a direct interference with the liberty of public discussion. Nothing is more wholesome and more necessary to the safety of the State than the power to criticize the actions of public men. It is in the atmosphere of this criticism that freedom thrives. The abuse of the liberty of the press is an evil, but it is an infinitely lesser evil than its suppression.

#### THE FUTURE OF HAWAII.

The Boston Transcript of February 25 contains a lengthy article from Hon. G. D. Gilman, Senator in the Massachusetts Legislature, giving a historical sketch of Hawaiian politics for seventy years past. No one in the United States is better qualified to write intelligently regarding these islands than Mr. Gilman. We insert the closing paragraph of his article, as replete with sound views:

It should not be lost sight of in considering the questions that pertain to the appeal for annexation, that the Provisional Government and their representatives at Washington are among the noblest and best men on the islands, who would be noblemen and citizens in any country. It is a most unworthy insinuation to make that they are prompted by mercenary or speculative motives. They seek the good of Hawaii first, and like those early fathers of our nation, have pledged their "lives, fortunes and sacred honor" for the good of what is to the most of them their native land. As to their being land owners, sugar barons, speculators; they are first honorable, upright, Christian business men with records that the world may read. It is no "Claus Spreckels movement," he has had no hand in its management, and simply owns a sugar plantation upon which he has spent hundreds of thousands of dollars to make a lovely, profitable cane-field grow where before only an arid plain covered with wild indigo was a source of discomfort to every traveler. The large San Francisco house of J. D. Spreckels & Bros. have done more to induce a fine line of 3000-ton steamships between that city and Honolulu than any other firm—as business and not politics—and as honorable merchants would they profit by any change.

One other consideration deserves a word of notice. If the United States takes no action, what is to follow? What government shall prevail on the islands? It does not appear that even the Queen expects to be restored, if we may believe the reports credited to her special messenger at Washington.

A republican government would be beset by many difficulties. Even our own strong one has been sorely tested with Samoa, Behring Sea and Chile. What would be the fate of unprotected Hawaii? The time may come, when with an English force in the port of Honolulu, the Queen might call upon the admiral to hoist the English flag and take her islands under the protection of her sister queen. Who would prevent it? Could the United States, after declining to take them now when offered on such easy terms? Such a state of affairs is possible: to the writer's knowledge, the time has been when an American and Hawaiian flag were stitched together, to be raised in a last emergency; but the danger was averted. Let the flag now floating there for protection be made permanent; provide liberally for the Queen and Princess, as the United States could well afford to do, and there will be no fairer jewel in the tiara of States than Hawaii.

G. D. G.

John Cummins has been giving the natives a song and dance. It is reported that he has informed them, that the appointment of the United States Commission is due to his own efforts. He says he sent letters to Admiral Brown and General Schofield on the Claudine explaining matters. As a result he says they are friendly to him and the natives. Why, of course, they are.

The property of the late D. L. Huntsman, consisting principally of law books, will be sent to his mother who lives in Haley, Idaho.

#### In the Supreme Court of the Hawaiian Islands.

In Banco.

OCTOBER TERM, 1892.

ALICE K. AYERS, VS. WILLIAM MAHUKA.

Breach of Promise of Marriage.

BEFORE JUDD, C. J., BICKERTON AND DOLE, J. J.

(By written agreement of parties and counsel, Mr. Dole joins in this decision, though he had resigned as a Justice of the Supreme Court after argument and before decision.)

A request was made by defendant to be released from his engagement to marry and to have his engagement ring returned to him; the reply by the mother of the plaintiff was that the ring should thereafter be returned, but the ring was not returned and the plaintiff declined to release defendant from his engagement; Held, these facts do not establish a release.

OPINION OF THE COURT PER BICKERTON, J.

This case was tried before Chief Justice Judd with a jury at the October term 1892, and the jury rendered a verdict for the defendant, to which verdict the plaintiff excepted and gave notice of a motion for a new trial on the grounds, that the verdict was contrary to the law and the evidence. The said motion was heard on the 29th of October and overruled, and the plaintiff excepted. The matter now comes here on a bill of exceptions.

From the record of the case, it would appear there were the following points for the consideration of the jury: First, was the defendant of age when the engagement was made; if he was not, did he ratify it after he came of age? Second, did the plaintiff release the defendant from the engagement, he having written to her saying that the engagement was at an end, and asking that the engagement ring be returned; and plaintiff's mother in reply, writing that she (the mother) would return the ring to him herself.

As to the first point, the question of infancy, there seems to be hardly any difficulty, for even if defendant was not of age at the time the engagement was made in the early part of 1890, and the evidence for the defense shows that when he wrote the letters dated November 10, 1891, and January, 1892, he was of age, then there was a recognition and ratification of the contract, and he is bound by it. There having been a legal contract, there can be no doubt but that it was broken by the defendant, for in his letter he says that their engagement is no longer to exist.

Now comes the second question: Was there a release by the plaintiff? She says in her evidence, "I never consented to break off the engagement." She also wrote him a letter refusing to release him from the engagement. There is nothing in evidence that she herself consented to the engagement being broken off. There is evidence that about the time her mother wrote to defendant saying she would return the ring to him, plaintiff took the ring off her finger and gave it to her mother, but it was never returned to defendant. They went to consult an attorney (Mr. Magoon) about the matter, and to see what satisfaction could be got for the plaintiff from the defendant in consequence of his breach of promise. The ring was left with Mr. Magoon and produced in Court by him. If the mother and daughter ever had any idea of returning the ring to defendant and releasing him from his engagement, they never carried out the idea or intention; on the contrary, they took legal advice, and plaintiff wrote a letter to defendant positively refusing to accede to his request that the engagement be broken off and the ring returned.

On this state of facts, we are unable to see how the jury could find that there was a release. We are therefore of the opinion that the verdict is not sustained by the evidence, and is contrary to the law and the evidence, and should be set aside, and a new trial ordered: and it is so ordered.

J. A. Magoon, for plaintiff; C. Creighton and A. Rosa, for defendant.

Honolulu, March 4, 1893.

#### HELP FOR WILLIE WEEDON.

A Music-Dealer Offers Him a Comfortable Home.

J. D. Hammond, who keeps a music store at 2257 Mission street, informs the S. F. Examiner that he is willing to take Willie Weedon into his employ, giving him a good home and an opportunity of acquiring a business education.

Weedon is the English boy who so narrowly escaped destruction at the hands of Mate Brown of the wrecked bark Lady Lampon. Brown expressed a determination to eat the boy, privation due to shipwreck having probably driven the man insane. Willie was cabin-boy of the lost bark, and, although only 16 years of age, has been at sea for five years. He has been wrecked three times, and recently expressed fear that he would be no longer able to gain a livelihood at sea, because he had come to be regarded as a Jonah.

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Mr. Chas. Walker, of San Francisco.

"For several years I have been troubled with blotches and pimples on my face and body, which were very annoying. I tried several prescriptions, and also other medicines, but they did not seem to benefit me. Last fall a friend advised me to try Hood's Sarsaparilla. I was determined to give it a trial."

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After using two bottles, my skin returned to its natural state. I still use it, as it gives me strength and vigor. I never had better health in my life, and I owe it to taking Hood's Sarsaparilla. CHAS. WALKER, with Carville Mfg. Co., 48 Eighth Street, San Francisco.

Hood's Pills are the best after-dinner Pills, assist digestion, cure headache. 25c.

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The excellent reputation gained in the past for fine work and only such will be maintained at all hazards.

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A failure to correct any trouble which glasses can correct IMPOSSIBLE.

My system of testing is so simple and yet so perfect, that the whole thing becomes a pleasure to you, instead of a tedious and painful operation.

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GAS ADMINISTERED.

#### Administrator's Notice.

ALL CLAIMS AGAINST THE Estate of the late KEEAHA (deceased, of Waialea, Waialea, Maui, H. I.), must be presented properly sworn to before a Notary Public, to the undersigned who has been duly appointed administrator of said estate within six months or they will be forever barred; all debts owing to said estate must be paid on or before said expiration of six months.

W. H. DANIELS, Administrator of the Estate of KEEAHA, deceased. Waialea, Maui, October 23, 1892. 1471-4m.